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Attorney for Plaintiff.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS**

SAIPAN HANDICRAFT,]	Civil Action No. 05-0040
]	
Plaintiff,]	
]	
vs.]	DECLARATION OF
]	RODRIGO CAPATI
MICRONESIA WOODCRAFT ENT., INC., et al.,]	
]	
Defendants.]	
]	

I, Rodrigo Capati, do hereby depose and say that:

1. I am one of the owners of Plaintiff Saipan Handicraft and have personal knowledge regarding the matters stated herein and, in addition to all the matters contained in our First Amended Verified Complaint (filed April 18, 2006), I am also able to testify to the following:

2. My wife, Adela Capati, and I worked for years to create and perfect the distinctive features and look of our “Bo Jo Bo Wishing Dolls”. After our dolls and company were featured on Japanese television, the demand for our dolls dramatically increased. Our company was inundated with orders and my wife and I took great pleasure and pride in the fact that we were selling a doll that so many people wanted.

3. In the Japanese television commercials, Saipan Handicraft was prominently featured. The television spots showed our shop, my wife and I making the dolls, as well as each of the unique features and marks that make up our dolls: (1) the mark and name “Bo Jo Bo Wishing Dolls”; (2) the mark and name “Legend of the Bo Jo Bo Wishing Dolls”; (3) the blue folded identification card; (4) the pistachio nut shell hat; (5) the red seed nose; (6) the painted white straight mouth; (7) the natural colored pony-tail; and (8) the shaped skirts with a similar colored tie. The dolls pictured in

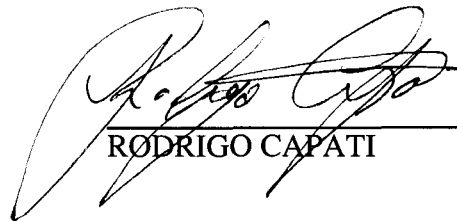
Exhibit H, which exhibit is attached to our motion for an expanded preliminary injunction, are real dolls manufactured by Saipan Handicraft.

4. When the demand for our dolls was at its highest, counterfeiters began copying our marks, our features and even our name, phone number and address. Each of the dolls shown or pictured in **Exhibits D, E, F, G, I & J**, which exhibits are attached to our motion for an expanded preliminary injunction, are fakes and counterfeits. None of them was made or sold by our company, Saipan Handicraft.

5. As a result of these counterfeit dolls and other violators, the sale of our dolls has really been crippled. People do not want to buy a doll for \$12 that they can buy on the street from a counterfeiter for \$4. Our buyers in Japan and Saipan have lodged complaints with our company regarding all the counterfeiters and violators, and our monthly sales have gone from a high of around 18,000 sets of dolls to around 5,000 sets of dolls during the past several months.

6. If something is not done quickly, Saipan Handicraft will continue to lose customers, sales and goodwill.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true to the best of my knowledge; and make this declaration this May 10, 2006, at San Jose, Saipan, CNMI.



RODRIGO CAPATI

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]	DECLARATION OF COUNSEL
MICRONESIA WOODCRAFT ENT., INC., et al.,]	
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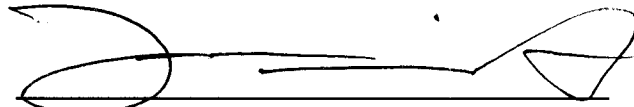
I, F. Matthew Smith, do hereby depose and say that:

1. I am counsel of record for the Plaintiffs in the above-styled action.
2. In November of 2005, when it became clear that others were using the trademarks of Saipan Handicraft without authorization, I wrote and sent letters to the infringers asking them to stop using the name and marks without authorization.
3. Then, on November 7, 2005, I caused notices to be published in both the "Saipan Tribune" and "The Daily Variety" giving notice that Saipan Handicraft claimed rights in its doll name, features and marks and asking all violators to cease and desist in their use of the same. True and accurate copies of the published notices are attached hereto as **Exhibit 1**.
4. After filing a complaint and obtaining a preliminary injunction, I then mailed, or had delivered, notices to all known retailers and manufacturers of dolls that infringed or violated the

trademarks and features of Saipan Handicraft, including each of the named defendants. In most cases, these notices were delivered by investigators who had been hired for that purpose. A true and accurate copy of the notice that was delivered is attached hereto as **Exhibit 2**.

5. Despite giving notice, my office has purchased and found numerous counterfeiters and is naming and adding them as defendants in this case as they are discovered. All counterfeit dolls shown in **Exhibits D, E, F, G, I & J**, which exhibits are attached to our motion for an expanded preliminary injunction, have all been purchased or obtained from the named defendants after this court's original preliminary injunction order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true to the best of my knowledge; and make this declaration this May 10, 2006, at San Jose, Saipan, CNMI.



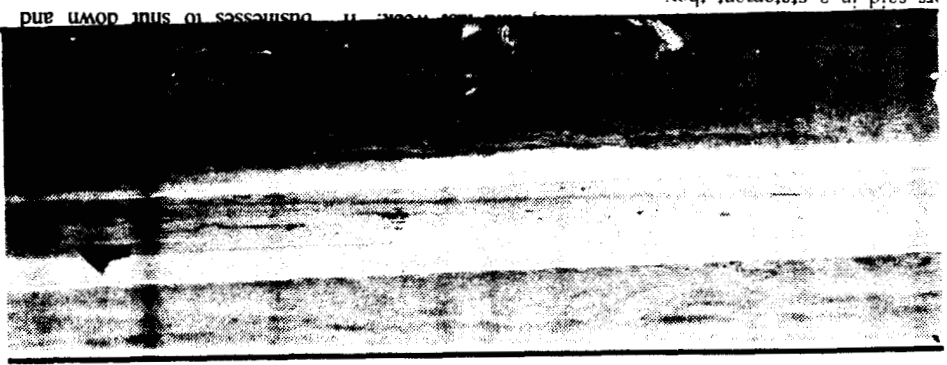
F. MATTHEW SMITH

State battles likely if Roe overturned

NEW YORK (AP)—Undoubtedly, there would be turmoil in the nation. Beyond that, little is certain about what would unfold if the Supreme Court overturned Roe v. Wade, the divisive 1973 decision establishing a woman's right to have an abortion.

Reversal remains only a hypothesis for now, yet both guide, affluent women in states with bans would likely find abortions harder to obtain.

If the pre-Roe past is any guide, the political consequences of Roe's reversal would be complex and perhaps awkward for some Republicans. Roe has been a longtime target of conservative candidates and advocacy groups; its disappearance would be a significant effort to be \$3.7 billion.



PUBLIC NOTICE

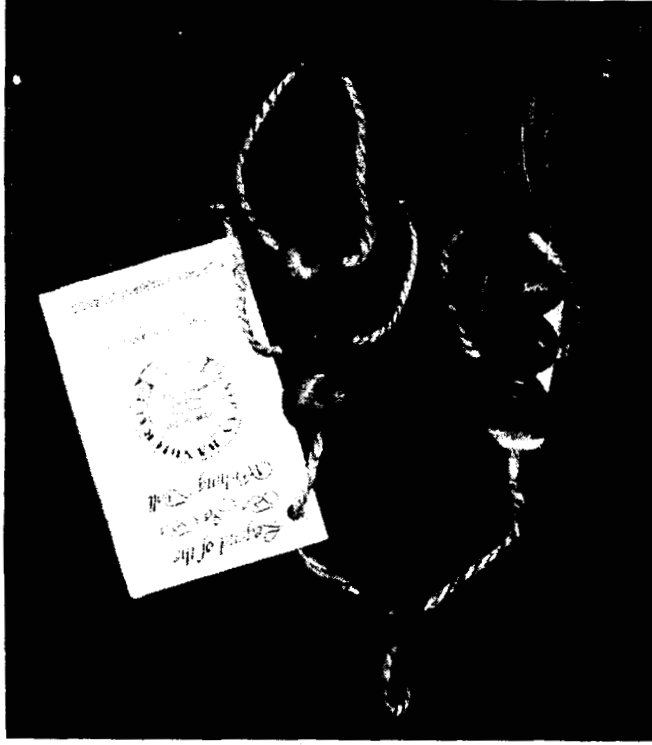
to all persons or companies manufacturing and all store owners selling bo jo bo wishing dolls

Please take notice that Saipan Handicraft claims a trademark interest in "Bo Jo Bo Wishing Doll" and "Legend of the Bo Jo Bo Wishing Doll." Any person or company manufacturing or selling "Bo Jo Bo Wishing Dolls" without the consent of Saipan Handicraft is unlawfully benefitting from the good will and marketing of Saipan Handicraft and is infringing upon the trademark rights of Saipan Handicraft.

Only Bo Jo Bo Wishing Dolls with the Saipan Handicraft trade name clearly imprinted on the label are authentic and not produced in violation of trademark law. Store owners are advised to return all fake Bo Jo Bo Wishing Dolls to the manufacturers and sell only authentic Bo Jo Bo Wishing Dolls manufactured by Saipan Handicraft for more than 20 years.

Manufacturers are advised to immediately cease and desist in the use of the trademark name "Bo Jo Bo Wishing Dolls" and to avoid closely approximating the appearance or labeling of Saipan Handicraft's product.

For more information, please contact the Law Office of F. Matthew Smith via email at authentic.bojobo.wishing.dolls@gmail.com.



pers said in a statement they could conduct a new round of interviews in their investigation of Holloway's May 30 disappearance.

The statement said there are people living in the United States who have to be interviewed again. They said several aspects need more attention.

"You have to have an open mind and investigate all leads. It would be the professional thing to do," Aruba's chief prosecutor, Karin Janssen, of the AP.

Witty has been a harsh critic of Dutch Caribbean investigation. During a week, she called for an of several top ent officials.

ity's first visit to early September ordered the re-local youths who people seen with

EXHIBIT B-1

Indonesia confirms 5th human bird flu death

JAKARTA (Reuters) — An Indonesian woman who died in October had bird flu, bringing the total



might shed light on how the disease was transmitted.

ne said, but added that further testing was being done in Indonesia and Hong Kong.

The nurse also came from the Tangerang area, Patu said.

The flu's H5N1 virus has in-

fecting at least 123 people in Asia and killed 63, giving a known mor-

easier said than done in a country as vast as Indonesia.

Its 17,000 islands dot an archipelago stretching over some 5,000 km (3,000 miles), with a population of 220 million.

Snow to worsen struggle in

73,000, with 1,300 more killed in Indian Kashmir.

Pakistan says the toll could rise and the United Nations fears a second wave of deaths as cold weather hits the three million left homeless by the disaster, some of whom remain without help high in the mountains.

The meteorological office said widespread showers were expected in the disaster zone from next Thursday, which would fall as snow over 5,000 feet by next weekend.

The World Health Organization said the largest number of patients being brought into clinics were already those suffering from acute respiratory infections like pneumonia.

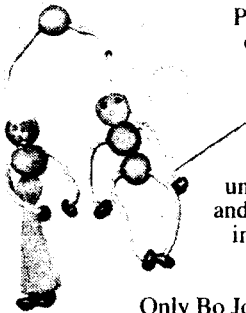
"It will be a problem because if people are living in cold weather with inadequate food supplies they are more susceptible to illness," spokeswoman Rachel Lavy said.

Despite the death toll and dangers posed by a winter in which temperatures are expected to plummet to minus 20 Celsius (minus 4 Fahrenheit), the world has been slow to respond.

The United Nations sought \$550 million for emergency work, but has received only \$125 mil-

PUBLIC NOTICE

To all persons or companies manufacturing and all store owners selling **Bo Jo Bo Wishing Dolls**.



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Marianas Public Lands Authority PUBLIC NOTICE 11/07/05

Pursuant to 1 CMC § 9910, Governor Juan N. Babauta, Lt. Governor Diego T. Benavente, and the Marianas Public Lands Authority are hereby giving notice that a meeting of the Marianas Public Lands Authority Board of Directors will be held on **Thursday, November 10, 2005 at 1:00pm at the Tinian Dynasty Conference Room in Tinian.**

The meeting is scheduled to continue from day to day until completed and as such, the meeting will be reconvened the following day and/or on Monday, at a time and place to be determined, should the Board call a recess of this meeting.

The agenda is as follows:

1. Roll Call
2. Adoption of Agenda
3. Public Comments
4. Report of the Commissioner
 - (a) Monthly Activity Report
 - (b) Kagman Commercial Farm Plot Fee
 - (c) MPLA Land Use Master Plan
 - (d) Sabalu Market
 - (e) Saipan Fitness Club, Inc. d/b/a Gold's Gym Saipan
 - (f) Report on all new and existing permits - Real Estate and Development
5. Report of Deputy Commissioner, Rota
6. Report of the Deputy Commissioner, Tinian
7. Report of the Hearing Officer
8. Land Compensation Matters
9. Chief Financial Officer's Report
 - (a) Tasi Tours and Transportation Inc.
10. Executive Session
 - (a) Report of the Legal Counsel
11. New Business
 - (a) Public Land Leases
 - i. New Interest for a Quarry Operation - Tinian
 - ii. Interpacific Resorts Saipan Inc. d/b/a Pacific Islands Club - Request for MPLA consent on Hotel lobby renovation and Kid's Pool improvements

LAW OFFICE OF
F. MATTHEW SMITH, LLC
2ND FLOOR, UIU BUILDING, SAN JOSE

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P.O. BOX 501127, SAIPAN, MP 96950

January 23, 2006

RE:NOTICE OF INJUNCTION, LITIGATION

To Whom It May Concern:

This office represents Saipan Handicraft, a local company that manufactures and distributes the "Bo Jo Bo Wishing Doll". The dolls made and distributed by Saipan Handicraft are:

1. The specific dolls featured on Japanese television;
2. The specific dolls given to the Japanese Emperor during his visit to Saipan; and
3. The original dolls manufactured here in the CNMI for over 20 years.

Unique and distinctive features of the Saipan Handicraft dolls:

1. Pistachio Hat;
2. Pastel Colored Name Card
– (folded, attached to string, "Legend of the Bo Jo Bo Wishing Doll" on front)
3. Blond hair;
4. Straight, white, painted mouth;
5. Colorful, shaped skirt, tied with a string; and
6. Red nose.

Please be advised that Saipan Handicraft has filed a lawsuit against Micronesia Woodcraft and Tirzo J. Adriatico in the NMI District Court because that company has copied the look, name, trademark and trade-dress of Saipan Handicraft. This was necessary as consumers are getting confused because the Woodcraft dolls have copied the over-all unique look and distinctive features of Saipan Handicraft's "Bo Jo Bo Wishing Doll".

On January 17, 2006, Saipan Handicraft, in its lawsuit, recently obtained an order from Judge Munson prohibiting Micronesia Woodcraft from using the total image and look of [Saipan Handicraft's] product packaging, *i.e.* the style and layout of the attached card, and the total image and look of [its] product configuration, *i.e.* the pistachio nut shell hat." Accordingly, we are now trying to determine if that order has been obeyed and dolls are still being manufactured or sold by Woodcraft in violation of that order.

If you are currently selling or buying dolls from Micronesia Woodcraft Ent. that violate the injunction order of the District Court, please be advised that action is being taken to stop this practice. Hopefully, Woodcraft will ask you themselves to remove the violating dolls from your store, but if they do not, we ask that you return them to Woodcraft immediately.

EXHIBIT B-2

Letter to Various Companies
January 23, 2006
Page 2 of 2

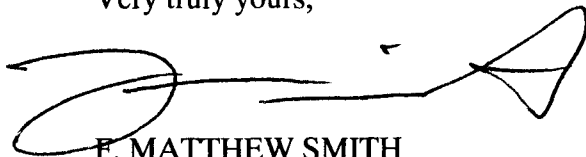
Woodcraft may still make and sell Bo Jo Bo Wishing Dolls, but it must modify its card and the look of the dolls, including eliminating the use of a pistachio nut shell hat, so that their dolls will not be confusingly similar to Saipan Handicraft's designs. Please do not hesitate to contact this office if you yourself are confused or if you need help determining if the dolls you are selling violate the injunction order.

Further, please be advised that other companies are also making copy or counterfeit dolls that look exactly like those created and made by Saipan Handicraft. Please be advised that we are in the process of locating and adding into our lawsuit all companies that make or sell dolls that infringe on the rights and marks of Saipan Handicraft.

If you are making or selling a doll that copies the card, the pistachio nut hat, the overall look of our dolls, demand is hereby made for you to cease and desist that action immediately. Should you fail to end this illegal practice, you will be added as a defendant to our litigation.

Thank you for your attention to this important matter. Please do not hesitate to contact my office if you have any questions.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'F' followed by a horizontal line and a loop at the end.

F. MATTHEW SMITH
Attorney at Law

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]	JOE C. CABRERA
MICRONESIA WOODCRAFT ENT., INC., et al.,]	
]	
Defendants.]	
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I, Joe C. Cabrera, do hereby depose and say that:

1. I was hired by Plaintiff Saipan Handicraft to investigate the manufacture and sale of counterfeit "Bo Jo Bo Wishing Dolls" and have personal knowledge regarding the matters stated herein.

2. During my investigation, which began in February of 2006, I discovered that many people were making counterfeit dolls or dolls that used many of the unique features of the Saipan Handicraft dolls.

3. During my investigation, I discovered that many retailers would place real Handicraft dolls in their windows but would sell counterfeit dolls to those customers who approached them.

4. During February of 2006 while investigating counterfeiters, I was told by employees of Micronesia Woodcraft Ent., Inc. that dolls would be sent to Saipan from Rota with tags that

would be replaced with counterfeit Saipan Handicraft tags once they arrived on Saipan. I was also told by those same employees that Micronesia Woodcraft Ent., Inc. would make Saipan Handicraft dolls if the customer asks for it.

5. Posing as a buyer, in February of 2006, I learned from a manager at Haney that he could provide and sell 20,000 dolls each month. I was led to visit Haney by an employee of Defendant Lee, Byung Deuk.

6. I have seen and investigated several homes and buildings that pose as makeshift factories for making counterfeit dolls, and have spoken with several Chinese and Korean owners. Each time these owners would claim to be unable to speak and understand English and each time that I went to revisit the site, it would be gone. In each instance, I believe they just moved their production to another spot.

7. Despite spending many hours investigating these matters and asking people not to infringe on the marks and names of Saipan Handicraft, I have seen little change in the number of counterfeits or infringing dolls.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true to the best of my knowledge; and make this declaration this May 10, 2006, at San Jose, Saipan, CNMI.

 5/10/06
JOE C. CABRERA